

EXHIBIT 9
DATE 2-5-07
HB Real ID



Real ID Act Provisions
P.L. 109-13

Background	The REAL ID Act (H.R. 418) provisions included in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, 2005 (H.R. 1268)
Authority	Authorizes the Secretary of Homeland Security to issue regulations, set standards and issue grants in consultation with the Secretary of Transportation and the states.
Definitions	<p>In this bill, the following definitions apply:</p> <p>(1) DRIVER'S LICENSE – The term ``driver's license" means a motor vehicle operator's license, as defined in section 30301 of title 49, United States Code.</p> <p>(2) IDENTIFICATION CARD – The term ``identification card" means a personal identification card, as defined in section 1028(d) of title 18, United States Code, issued by a State.</p> <p>(3) OFFICIAL PURPOSE – The term ``official purpose" includes but is not limited to accessing Federal facilities, boarding federally regulated commercial aircraft, entering nuclear power plants, and any other purposes that the Secretary shall determine.</p> <p>(4) SECRETARY – The term ``Secretary" means the Secretary of Homeland Security.</p> <p>(5) STATE – The term ``State" means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.</p>
Program	<p>Authorizes appropriations for fiscal years 2005-2009 for the Secretary of Homeland Security necessary to carry out this act.</p> <p>Authorizes the Secretary of Homeland Security to make grants to a state to assist in conforming to the minimum standards.</p>

*Information Required
on the Driver's License
and Identification Card*

States shall include at minimum, the following information and features on the driver's license and identification card:

- the person's full legal name
- date of birth
- gender
- driver license or identification card number
- a digital photograph
- address of principal residence
- signature
- physical security features designed to prevent tampering, counterfeiting, or duplication of the document for fraudulent purposes
- a common machine-readable technology, with defined minimum data elements

*Minimum Document
Standards*

A state shall require, at a minimum, presentation and verification of the following information before issuing a driver's license or ID card to an individual:

- photo identity document, except that a non-photo identity document is acceptable if it includes both the person's full legal name and date of birth
- documentation showing the person's date of birth
- proof of the person's social security account number or verification that the person is not eligible for a social security account number
- documentation showing the person's name and address of principal residence

A state shall require evidence of legal status before issuing a driver's license or identification card. (See Immigration Requirements)

A state may not accept any foreign document, other than an official passport as proof of identification.

A state must subject each person applying for a driver's license or ID card to mandatory facial image capture.

A state must refuse to issue a driver's license or ID card to a person holding a driver's license issued by another state without confirmation that the person is terminating or has terminated the driver's license.

A state must limit the period of validity of all driver's licenses and ID cards that are not temporary to a period that does not exceed eight years.

Immigration
Documentation

A state shall require, before issuing a driver's license or identification card to a person, valid documentary evidence that an individual is a citizen of the United States; is an alien lawfully admitted for permanent or temporary residence; has conditional permanent resident status; has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry; has a pending or approved application for asylum; has refugee status; has a pending or approved application for temporary protected status; has approved deferred action status; or has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence or conditional permanent resident status.

States may only issue a temporary driver's license or identification card to applicants who present evidence of legal status for a valid, unexpired nonimmigrant visa or nonimmigrant visa status, a pending application for asylum, pending or approved application for temporary protected status, approved deferred action status or has a pending application for adjustment of status to that of an alien lawfully admitted for permanent resident in the United States or conditional permanent resident status.

Temporary Driver's
License and
Identification Card

A temporary driver's license or ID card can only be valid for the period of time of the applicant's authorized stay in the United States or for a period of one year if there is no definite end to the period of authorized stay.

A temporary license or ID card must clearly indicate that it is temporary and shall state the date on which it expires.

A temporary license or ID card may be renewed upon presentation of valid immigration documents that the status of stay has been extended by the Secretary of Homeland Security.

Verification of
Citizenship

Before issuing a driver's license or ID card to a person, a state shall verify, with the issuing agency, the issuance, validity, and completeness of each breeder document required to be presented by the applicant.

States must sign a Memorandum of Understanding with the Department of Homeland Security by September 11, 2005, to use the Systematic Alien Verification Entitlements (SAVE) to verify the legal presence status of an applicant other than a United States citizen.

States must establish an effective procedure to confirm or verify a renewing applicant's information.

States must verify with the Social Security Administration a social security number presented by a person using the full social security number. In the event that a social security number is already registered to, or associated with, another person to whom any state has issued a driver's license or ID card, the state shall resolve the discrepancy and take appropriate action.

Motor Vehicle Database

States must maintain a motor vehicle database that contains, at a minimum, all data fields printed on drivers' licenses and ID cards issued by the state; and motor vehicle drivers' histories, including motor vehicle violations, suspensions, and points on licenses.

Digital Capture and Storage

States must employ technology to capture digital images of identity source documents so that the images can be retained in electronic storage in a transferable format.

States must retain paper copies of source documents for a minimum of seven years or images of source documents presented for a minimum of 10 years.

Physical Protection and Security Standards

States must ensure the physical security of locations where drivers' licenses and ID cards are produced and the security of document materials and papers from which drivers' licenses and ID cards are produced.

States must subject all persons authorized to manufacture or produce drivers' licenses and ID cards to appropriate security clearance requirements.

States must establish fraudulent document recognition training programs for appropriate employees engaged in the issuance of drivers' licenses and ID cards.

The Act amends the fraud and related activity in connection with identification documents, authentication features, and information in 18 U.S.C. 1028 (a)(8) by striking "false authentication features" and inserting "false or actual authentication features," so it reads "knowingly traffic in false or actual authentication features for use in false identification documents, document-making implements, or means of identification."

The Secretary shall enter, into the appropriate aviation security screening database, appropriate information regarding any person convicted of using a false driver's license at an airport (as such term is defined in section 40102 of title 49, United States Code).

Compliance

Federal agencies are prohibited from accepting a state issued driver's license or identification card for official purposes three years after enactment of this Act unless the state conforms to the minimum standards established in the bill.

Each state shall self-certify to the Secretary of Homeland Security whether the state is meeting the minimum standards. The certification process shall be established in regulations by the Department of Homeland Security in consultation with the Secretary of Transportation.

In any case in which the state issues a driver's license or ID card that does not conform to the minimum standards, the state must ensure that such license or ID card clearly states on its face that it may not be accepted by any federal agency for any official purpose; and uses a unique design or color indicator to alert federal agency and other law enforcement personnel that it may not be accepted for any such purpose.

Extensions

The Secretary of Homeland Security may grant an extension to a state to meet the requirements of this Act if the state provides adequate justification for noncompliance.

Repeal

This Act repeals Section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004 that required the Department of Transportation to establish minimum standards for the driver's license and ID card through a negotiated rulemaking.
